



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**JENELL LAWSON  
INTELLECTUAL PROPERTY  
CURAGEN CORPORATION  
555 LONG WHARF DRIVE  
NEW HAVEN, CT 06551**

**COPY MAILED**

**FEB 22 2005**

**OFFICE OF PETITIONS  
ON PETITION**

In re Application of :  
Taupier et al. :  
Application No. 10/624,932 :  
Filed: July 21, 2003 :  
Attorney Docket No. Cura374 CON :

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed February 3, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the non-final Office action mailed July 19, 2004. No extensions of time under the provisions of 37 CFR 1.136(a) were timely obtained. Accordingly, this application became abandoned on October 20, 2004.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$510.00 extension of time fee submitted with the petition on February 3, 2005 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account as authorized.

This matter is being referred to Technology Center 1600 for further examination on the merits.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3282.

*Liana Chase*  
Liana Chase  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy